III. REMARKS

Replacement drawings with the requested labels have been previously submitted. Thus the drawings are no longer objectionable.

The specification has been amended by adding section headings. Thus it is no longer objectionable.

It is respectfully submitted that since a person skilled in the art knows the difference between the message and streaming, he would have not turned to a streaming invention.

In other words, Jaisimha does not teach the making of a message, and especially a multimedia message. Jaisimha only discloses that information can be received with an HTTP request and loaded to a user's computer which operates a web browser and displays the received information as an HTML page. That is not a message intended for the user.

As for column 5, lines 11 to 29 of Jaisimha; it is a similar situation as when a user clicks on a link http://www.danvan.com/stuff/BOBO.wmv visible in a web browser and selects the option SAVE instead of the option OPEN. After this the user can open the file that was just saved with the desired media player program. The cited part of Jaisimha does not have anything to do with a presentation model, and especially not with column 6, line 67, to column 7, line 25. There is no teaching in Jasimha that would disclose that the references mentioned by the Examiner on page 5 of the Office Action ("Claim rejection 5") are in any way related.

It is respectfully submitted that more attention should be paid to what Jaisimha teaches in column 6, line 15, to column 7, line 25, i.e., the connection between the file types RM, RAM and SMIL. Especially the fact where the files in question are physically located and where they are searched from, as well as how they are searched: with a web browser or the like.

In particular, in the above reference section of Jaisimha there is disclosed an example where a user accesses a media file via the Internet. The user operates a web browser on a computer. On the display of the computer, a web page is shown which is one of many possible web pages provided to users by a web server. The web page includes a <u>download</u> hyperlink and a <u>play hyperlink</u>. The download hyperlink has an associated address (URL, Uniform Resource Locator) according to the hypertext transfer protocol (http). The address addresses a file (foo1.ram in this example) on a web site having a domain name <u>www.content.com</u>. The play hyperlink also has an address which references another file (foo2.ram) on the web site. The files foo1.ram and foo2.ram are stored on the web server. Both the files reference to a media object foo.rm. In the download hyperlink (foo1.ram), the media object is referenced by the following string: <u>pnm://www.content.com/foo.rm?mobileplayback='1'</u>.

In the playback hyperlink (foo2.ram) the media object is referenced by the following string: "<u>pnm://www.content.com/foo.rm</u>". The "pnm" refers to a flow control protocol used to transmit data of a media object, <u>www.content.com</u> refers to the address of the web server, and "foo.rm" refers to the media object on the web server. The '?' character can be used to provide possible parameters which are separated by '&' character from each other.

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Jaisimha discloses in col. 6, line 66, to col. 7, line 25, that files compliant with SMIL may also be referred to by hyperlinks and SMIL files can also reference media objects.

It is clear from the description referenced above that Jaisimha does not disclose messages according to the present invention. The files containing the hyperlink (download/playback) and the media object are not messages.

It is also pointed out that a Multimedia Message Service Centre MMSC cannot be found in Fig. 3. It merely shows a web server which transmits via internet contents of a web page to a user's computer operating a web browser. Fig. 3 does not give any indication on transmission of multimedia messages.
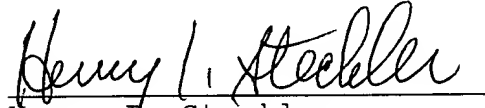
Independent claims 1, 12, 21 and 22 all recite "message". Since this is not in Jaisimha, the rejection of claims 1-23 under 35 USC 102 on the reference should be withdrawn.
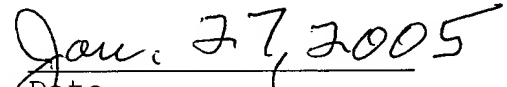
Further, since there is no suggestion of the concept in Jaisimha, these claims are unobvious over it.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of $120 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,
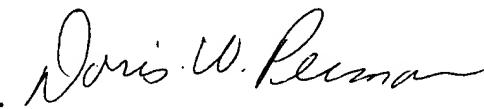
Henry I. Steckler
Reg. No. 24,139

Jan. 27, 2005
Date

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature: Doris W. Perman
Person Making Deposit

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